UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/026,596	12/20/2001	Hung-Liang Chiu	56783 (71987)	9588

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EXAMINER
WILLIAMS, JEFFERY L

ART UNIT	PAPER NUMBER
2137	

DATE MAILED: 05/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/026,596	CHIU ET AL.
	Examiner	Art Unit	
	Jeffery Williams	2137	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>*10 April 2006*</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-3,5-11 and 13-15* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3,5-11 and 13-15* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

1   **DETAILED ACTION**

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3

4   ***Continued Examination Under 37 CFR 1.114***

5

6   A request for continued examination under 37 CFR 1.114, including the fee set

7   forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

8   application is eligible for continued examination under 37 CFR 1.114, and the fee set

9   forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

10   has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on

11   4/10/2006 has been entered.

12

13

14   This action is in response to the communication filed on 4/10/2006.

15

16   All objections and rejections not set forth below have been withdrawn.

17

18

19   ***Claim Rejections - 35 USC § 103***

20

21   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

22   obviousness rejections set forth in this Office action:

1   (a) A patent may not be obtained though the invention is not identically disclosed or described as set
2   forth in section 102 of this title, if the differences between the subject matter sought to be patented and
3   the prior art are such that the subject matter as a whole would have been obvious at the time the
4   invention was made to a person having ordinary skill in the art to which said subject matter pertains.
5   Patentability shall not be negatived by the manner in which the invention was made.
6
7   **Claims 1 – 3, 5 – 11, and 13 – 15 are rejected under 35 U.S.C. 103(a) as**

8   **being unpatentable over Pancha et al., "System and Method for Coupling Remote**

9   **Data Stores and Mobile Devices via an Internet Based Server", U.S. Patent**

10 **6,823,373 B1 in view of See et al., "Deterministic User Authentication Service for**

11 **Communication Network", U.S. Patent 6,070,243.**

12

13   Regarding claim 8, Pancha et al. discloses a system designed to allow users with

14 terminal devices to access a resource system. A disclosed system server

15 ("authentication server") controls user access to the system by requiring user

16 authentication comprising a user id and password (Pancha et al., fig. 1, elem. 12; col. 6,

17 lines 43-50). While Pancha et al. discloses a general overview of the authentication

18 server for granting/denying terminal access to a resource system, details regarding the

19 submission and verification of the user id and password are not disclosed. Specifically,

20 Pancha et al., does not describe in detail how the authentication server handles

21 valid/invalid submissions and a database for storing the id and passwords of system

22 users.

23   See et al., discloses in detail authentication methods necessary for enabling an

24 authentication server to grant/deny access to a resource system. See et al, discloses

25 the comparison of received passwords and ids from terminal devices with documented

26 passwords and ids located in a database. Also disclosed is a method for the delivery of

1   password submission success/failure messages to a user with the option to re-attempt

2   failed logins (See et al., col. 2, line 56 – col. 3, line 25; figs. 3A, 9).

3   It would have been obvious to one of ordinary skill in the art to combine the

4   detailed authentication methods carried out by an authentication server of See et al.,

5   with the system for authenticating terminal devices to system resources of Pancha et al.

6   This would have been obvious because one of ordinary skill in the art would have been

7   motivated for the purposes of practical application to introduce into a system, describing

8   an authentication server in general, specific methods that would allow the authentication

9   server to authenticate terminal devices.

10   Thus the combination of Pancha et al. and See et al. discloses:

11   a database for establishing user's data for storing and retrieving the resource

12   system (See et al., fig. 3A, elem. 330);

13   a receiving module for receiving user's data for logging into the resource system

14   inputted by the user at the terminal device (Pancha et al., fig. 1, elem. 12);

15   an identifying module for comparing the user's data transmitted from the

16   receiving module with the user's data stored in the database (See et al., fig. 5, elem.

17   530);

18   a replying module for responding according to compared results from the

19   identifying module, wherein if no user's data in the database matches the user's data

20   inputted by the user, the replying module sends a message of failure in logging into the

21   resource system to the user as the terminal device, and allows the user to re-input

22   user's data for logging into the resource system', if one of the user's data in the

1   *database matches the user's data inputted by the user, the replying module generates a*

2   *message of permission for logging into the resource system* (See et al., fig. 4, elem.

3   440);

4   *a managing module having an authorization account for logging into the resource*

5   *system, wherein the managing module sends an authorization account to the resource*

6   *system according to the permission message transmitted from the replying module after*

7   *the user's data transmitted from the terminal is determined to be matched with one of*

8   *the user's data in the database, so as to allow the terminal device to interact with the*

9   *resource system for data storage and retrieval, and store and retrieve data from the*

10   *resource system, after the authorization account is identified by the resource system*

11   *and authorization is granted* (Pancha, Abstract, Field of Invention, fig.1; 2:43-67; 3:56-

12   64; See et al., 2:56-3:16; fig. 4, elem. 460);

13   *and a processing module for processing data generated by the interaction*

14   *between the terminal device and the resource system, so as to display the data in the*

15   *form of a web page on a browser of the terminal device* (Pancha et al., fig. 1, elem. 10).

16

17   Regarding claim 9, the combination of Pancha et al. and See et al. disclose:

18   *the authorization system of claim 8, wherein the web page is in the form of*

19   *extensible markup language (XML)* (Pancha et al., fig. 1, elems. 10, 18).

20

21   Regarding claim 10, the combination of Pancha et al. and See et al. disclose:

1   *the authorization system of claim 8, wherein the user's data include a dedicated*

2   *users name and a password corresponding to the user's name* (Pancha et al., col. 6,

3   lines 43-50).

4

5   Regarding claim 11, the combination of Pancha et al. and See et al. disclose:

6   *the authorization system of claim 8, wherein the resource system is an enterprise*

7   *resource planning (ERP) system* (Pancha et al., col. 5, lines 1-11).

8

9   Regarding claim 13, the combination of Pancha et al. and See et al. disclose:

10   *the authorization system of claim 8, wherein the authorization system is*

11   *established in a server host* (Pancha et al., fig. 1, elem. 12).

12

13   Regarding claim 14, the combination of Pancha et al. and See et al. disclose:

14   *the authorization system of claim 13, wherein the authorization system is*

15   *middleware* (Pancha et al., fig. 1, elem. 12). As disclosed, the system server (12)

16   infrastructure sits between clients and network applications and manages interaction.

17

18   Regarding claim 15, the combination of Pancha et al. and See et al. disclose:

19   *the authorization system of claim 8, wherein the authorization system and the*

20   *resource system are contained in world wide web* (Pancha et al., col. 4, lines 49-55).

21

1   Regarding claims 1 – 3, and 5 – 7, they are the method claims employed by the

2   apparatus claims above and are rejected for the same reasons.

3

4

5   *Response to Arguments*

6

7   Applicant's arguments filed 4/10/2006 have been fully considered but they are

8   not persuasive.

9

10   Applicant argues primarily that:

11

12   *The proposed combination of Pancha in view of See does not teach or suggest*

13 *an authorization method for storing and retrieving data in which a user is allowed to*

14 *store and retrieve data from a resource system after the user's data is matched with*

15 *data stored in a database, and authorization is granted, i.e., a system and method that*

16 *provides direct access to the resource system.* (Remarks, page 1)

17

18   First, in response to applicant's argument that the references fail to show certain

19 features of applicant's invention, it is noted that the argued features of which are

20 allegedly lacking within the combination of Pancha and See are not limiting recitations

21 within the claim, but instead is non-limiting, descriptive language. For example, claim 1

22 recites a method comprising steps for authenticating and authorizing a user. The

1   applicant then proceeds to describe a possible result of said authentication and

2   authorization, "*so as to allow the user at the terminal device to...*". However, this

3   description of a possible result of the claimed method steps does not lay basis for the

4   applicant's argument that the storing and retrieving of data by the user is a limiting

5   method step of claim 1.

6   The same can be said for the applicant's arguments of claim 8. Apparatus

7   (system) claim 8 does not claim apparatus elements of a user and terminal device and

8   the method step of storing and retrieving data. As in claim 1, claim 8 describes that the

9   apparatus elements for performing a particular functionality can thus "allow" a possible

10   event to occur.

11

12   Second, in response to the applicant's arguments, the examiner points out that

13   even if the alleged missing features were to be interpreted as limiting language and

14   necessary claim elements, the combination of Pancha and See clearly discloses a

15   method and system for authenticating and authorizing a user so as to allow access to a

16   resource system, for purposes of data storage and retrieval, said access being allowed

17   only after authentication and authorization has occurring (see rejection of claim 8).

18

19   Third, in response to applicant's argument that the references fail to show certain

20   features of applicant's invention, it is noted that the features upon which applicant relies

21   (i.e., *i.e., a system and method that provides **direct access** to the resource system*) are

22   not recited in the rejected claim(s). Although the claims are interpreted in light of the

1   specification, limitations from the specification are not read into the claims. See *In re*

2   *Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

3

4   Therefore, the examiner finds the applicant's arguments to be unpersuasive.

5

6   ***Conclusion***

7

8

9   The prior art made of record and not relied upon is considered pertinent to

10   applicant's disclosure:

11

12   **See Notice of References Cited.**

13

14   A shortened statutory period for reply is set to expire **3** months (not less than 90

15   days) from the mailing date of this communication.

16   Any inquiry concerning this communication or earlier communications from the

17   examiner should be directed to Jeffery Williams whose telephone number is (571) 272-

18   7965. The examiner can normally be reached on 8:30-5:00.

19   If attempts to reach the examiner by telephone are unsuccessful, the examiner's

20   supervisor, Emmanuel Moise can be reached on (571) 272-3865. The fax phone

21   number for the organization where this application or proceeding is assigned is (703)

22   872-9306.

1   Information regarding the status of an application may be obtained from the

2   Patent Application Information Retrieval (PAIR) system. Status information for

3   published applications may be obtained from either Private PAIR or Public PAIR.

4   Status information for unpublished applications is available through Private PAIR only.

5   For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

6   you have questions on access to the Private PAIR system, contact the Electronic

7   Business Center (EBC) at 866-217-9197 (toll-free).

8

9
10   Jeffery Williams
11   Art Unit 2137

EMMANUEL L. MOISE
SUPERVISORY PATENT EXAMINER